

IN THE MATTER OF:

Gentiva Health Services)
648 Wilton Road)
Farmington, ME 04938) **FINAL DECISION**

This is the Department of Health and Human Services' Final Decision.

The Recommended Decision of Hearing Officer LeBlanc, dated June 6, 2005 and the responses and exceptions submitted on behalf of Gentiva Health Services have been reviewed.

I hereby adopt the findings of fact and I accept the Recommendation of the Hearing Officer that the Department was correct when it determined Gentiva Health Services received excess payments for care and services provided under the MaineCare Program and sanctioned them in the amount of \$173,534.76.

DATED: 7-12-05 SIGNED: _____
JOHN R. NICOLAS, COMMISSIONER
DEPARTMENT OF HEALTH & HUMAN SERVICES

YOU HAVE THE RIGHT TO JUDICIAL REVIEW UNDER THE MAINE RULES OF CIVIL PROCEDURE, RULE 80C. TO TAKE ADVANTAGE OF THIS RIGHT, A PETITION FOR REVIEW MUST BE FILED WITH THE APPROPRIATE SUPERIOR COURT WITHIN 30 DAYS OF THE RECEIPT OF THIS DECISION.

WITH SOME EXCEPTIONS, THE PARTY FILING AN APPEAL (80B OR 80C) OF A DECISION SHALL BE REQUIRED TO PAY THE COSTS TO THE OFFICE OF ADMINISTRATIVE HEARINGS FOR PROVIDING THE COURT WITH A CERTIFIED HEARING RECORD. THIS INCLUDES COSTS RELATED TO THE PROVISION OF A TRANSCRIPT OF THE HEARING RECORDING.

cc: John Camperlengo, Esq., Assistant Vice-President, Gentiva Health Services,
3 Huntington Quadrangle, Suite 200S, Melville, NY 11747
Christopher Mann, AAG, Office of the Attorney General
Marc Fecteau, BMS